

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INGERSOLL-RAND COMPANY,

Plaintiff,

v.

CENTURY INDEMNITY COMPANY (as
successor to CCI Insurance Company,
successor to Insurance Company of North
America),

Defendant.

NOTICE OF REMOVAL

JUN 06 2007

Civil Action No. 4825

CASHIERS

Defendant Century Indemnity Company hereby files this Notice of Removal to the United States District Court for the Southern District of New York of the action currently pending in the Supreme Court of the State of New York, County of New York, entitled Ingersoll-Rand Company v. Century Indemnity Company (as successor to CCI Insurance Company, successor to Insurance Company of North America), Index No. 601653/07, and states:

1. The action is a civil action for declaratory relief with respect to the enforceability of an oral settlement agreement, which Defendant contends resolved issues with regard to two insurance contracts, and for damages for breach of contract. The United States District Court for the Southern District of New York has original jurisdiction by reason of the diversity of citizenship of the parties.

2. Defendant is a corporation organized, formed and incorporated in and under the laws of the Commonwealth of Pennsylvania, and has its principal place of business in the Commonwealth of Pennsylvania.

3. Plaintiff is a corporation organized, formed and incorporated in and under the laws of the State of New Jersey, and has its principal place of business in the State of New Jersey.

4. The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

5. On or about May 18, 2007, the summons and complaint issued in the New York state action was served upon Defendant.

6. A copy of all process, pleadings, and orders served upon Defendant is annexed hereto as Exhibit A and filed herewith.

7. Defendant will give written notice of the filing of this Notice of Removal as required by 28 U.S.C. § 1446(d).

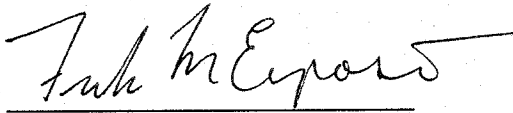
8. A copy of this Notice of Removal will be filed with the Clerk of the Supreme Court of the State of New York, County of New York, as required by 28 U.S.C. § 1446(d).

WHEREFORE, Defendant requests that this action proceed in the United States District Court for the Southern District of New York as an action properly removed to it.

Dated: June 6, 2007

Respectfully submitted,

CROWELL & MORING LLP

By: 
Frank M. Esposito, Esq.

153 East 53rd St.
31st Floor
New York, NY 10022
212-223-4000 (ph)
212-223-4134 (fax)

-and-

CROWELL & MORING LLP

David Florin, Esq.
Kathryn A. Underhill, Esq.
Margot L. Green, Esq.
1001 Pennsylvania Ave., N.W.
Washington, DC 20004
202-624-2500 (ph)
202- 628-5116 (fax)

Attorneys for Defendant Century
Indemnity Company

DCIWDMS: 3393832_1

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on this 6th day of June, 2007, I caused a copy of the foregoing Notice of Removal to be delivered via first class mail to the following individuals:

Steven H. Weisman
McCarter & English, LLP
245 Park Avenue, 27th Floor
New York, NY 10167-0001

Attorneys for Plaintiff
Ingersoll-Rand Company

A handwritten signature in cursive script, appearing to read "Frank M. Esposito", written in black ink.

Frank M. Esposito